

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

COPY

ROBERT DAVID STEELE, *et al.*,

Plaintiffs,

v.

Civil Action No. 3:17cv601

JASON GOODMAN, *et al.*,

Defendants.

ORDER

This matter comes before the Court on Non-party D. George Sweigert's Motion to Intervene (the "Amended Motion to Intervene"). (ECF No. 88.)

On February 19, 2019, Sweigert filed a Motion to Intervene (the "Original Motion to Intervene"). (ECF No. 73.) On March 18, 2019, Sweigert filed a "Notice of Intent to File an Amended Motion." (ECF No. 81.) On March 29, 2019, Sweigert filed the Amended Motion to Intervene, which the Clerk docketed on April 1, 2019.

On March 31, 2019, the Court issued a Memorandum Opinion and Order disposing of various motions. (ECF Nos. 85, 86.) In so doing, the Court ordered that Sweigert file an Amended Motion to Intervene no later than April 12, 2019, should he still intend to do so. The Court also ordered all parties—Plaintiffs, Negron, Goodman, and Lutzke—to file a response to the Amended Motion to Intervene by April 23, 2019.¹

On April 1, 2019, the Clerk updated the docket to properly reflect Sweigert's Amended Motion to Intervene dated March 29, 2019 and entered April 1, 2019. Because Sweigert has

¹ The Court also ordered Plaintiffs, Negron, and Lutzke to respond to the Original Motion to Intervene by the April 23, 2019, should Sweigert fail to timely file his Amended Motion to Intervene. Goodman previously filed an opposition to the Original Motion to Intervene. (ECF No. 78.)

submitted an Amended Motion to Intervene, the Court will deny as moot the Original Motion to Intervene, and will construe the March 29, 2019 filing as complying with the Court's March 31, 2019 directive to file an Amended Motion to Intervene. Sweigert need not file an additional amended motion to intervene to comply with the Court's commands.

Additionally, the March 31, 2019 Order directed the Clerk to mail the Memorandum Opinion and Order to counsel of record and various named individuals, but did not name Sweigert. The Court now DIRECTS the Clerk to mail Sweigert a copy of the March 31, 2019 Memorandum Opinion and Order.

Accordingly, the Court DEEMS the Amended Motion to Intervene filed, (ECF No. 88.) The Court will DENY AS MOOT the Original Motion to Intervene. (ECF No. 73.) Other deadlines in the March 31, 2019 Order shall remain intact. (ECF No. 86.) Specifically, Plaintiffs, Negron, Goodman, and Lutzke SHALL respond to Sweigert's Amended Motion to Intervene by April 23, 2019.

Let the Clerk send a copy of this Order to all counsel of record, and to Lutzke, Goodman, and Sweigert at their respective addresses of record.

It is SO ORDERED.

Date:

Richmond, Virginia

4/2/19


M. J. Lauck
United States District Judge